

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE) Chapter 7
)
MICHAEL S. HELMSTETTER,) Case No. 19 – 28687
)
Debtor.) Hon. Jacqueline P. Cox

NOTICE OF MOTION

TO: Attached Service List

PLEASE TAKE NOTICE THAT on February 28, 2023, at 1:00 p.m., I shall appear before the Honorable Jacqueline P. Cox, or any other judge sitting in her stead in Courtroom 680, 219 South Dearborn Street, Chicago, Illinois, or electronically as described below and request a hearing on the Chapter 7 Trustee's Accountants First Application for Allowance of Interim Compensation and Reimbursement of Costs and Expenses, Authorization to Pay Allowed Administrative Claim and to Limit Notice to Twenty Largest Creditors, a copy of which is attached hereto and thereby served upon you.

All parties in interest, including the movant, may appear for the presentment of the motion either in person or electronically using Zoom for Government.

To appear by video, use this link: <http://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is 1612732896 and the password is 778135. The meeting ID and password can also be found on the judge's page on the court's website.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, this motion will be called on the presentment date. If no Notice of Objection is timely filed, the Court may grant the motion in advance without a hearing.

CERTIFICATE OF SERVICE

I, the undersigned, an attorney, hereby state that I caused a copy of the foregoing NOTICE OF MOTION and MOTION to be served on all persons set forth on the attached Service List identified as Registrants through the Court's Electronic Notice for Registrants and, as to all other persons on the attached Service List by mailing a copy of same in an envelope properly addressed and with postage fully prepaid and by depositing same in the U.S. Mail, Chicago, Illinois, on the 26th day of January, 2023

s/ Gregory K. Stern

Gregory K. Stern

Gregory K. Stern (Atty. ID #6183380)
Monica C. O'Brien (Atty. ID # 6216626)
Dennis E. Quaid (Atty. ID #02267012)
Rachel S. Sandler (Atty. ID #6310248)
53 West Jackson Boulevard, Suite 1442
Chicago, Illinois 60604
(312) 427-1558

SERVICE LIST

Registrants Served Through The Court's Electronic Notice For Registrants

Patrick S. Layng
Office of the U.S. Trustee, Region 11
219 South Dearborn Street, Room 873
Chicago, Illinois 60604

David R. Herzog
Herzog & Schwartz PC
53 West Jackson Blvd, Suite 1442
Chicago, Illinois 60604

Michael T. Stanley
Michael Stanley and Associates, P.C.
5455 N Sheridan Rd
Unit 503
Chicago, IL 60640

Debra Devassy Babu
Darcy & Devassy, PC
444 North Michigan Avenue, Suite 3270
Chicago, Illinois 60611

Jamie L. Burns
Levenfeld Pearlstein, LLC
2 North LaSalle Street, Suite 1300
Chicago, Illinois 60602

Whitman H. Brisky
Mauck & Baker LLC
1 North LaSalle Street, Suite 600
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Christopher R. Schmidgal
Law Office of Garry A. Weiss, PC
Six West 73rd Avenue
Merrillville, Indiana 46410

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James M. Yannakopoulos
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22 West Washington, Suite 1500
Chicago, IL 60602

Thomas H. Giesta
105 West Madison Street, Suite 1500
Chicago, Illinois 60602

Cindy M. Johnson
140 South Dearborn Street, Suite 1510
Chicago, Illinois 60603

Justin M. Metz
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Milwaukee, WI 53202

Jeffrey Paulson
FactorLaw
105 West Madison Street
Suite 1500
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IN RE) Chapter 7
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**TRUSTEE'S ACCOUNTANTS' FIRST APPLICATION FOR ALLOWANCE OF INTERIM
COMPENSATION, REIMBURSEMENT OF COSTS AND EXPENSES; AUTHORIZATION TO
PAY ALLOWED ADMINISTRATIVE CLAIM; AND TO LIMIT NOTICE
TO TWENTY LARGEST UNSECURED CREDITORS**

Now comes Lois West, CPA and Kutchins, Robbins & Diamond, Ltd. (collectively referred to as the “Accountants”) and as accountants for David R. Herzog, as the duly appointing and acting Chapter 7 Trustee (“Trustee”) of the estate of Michael Helmstetter (the “Debtor”), and in support of the Accountants’ First Application for Interim Compensation, Authorizing payment by the estate of the allowed amount of compensation and reimbursement; and limiting notice to the twenty largest unsecured creditors; and in support thereof, state as follows:

1. That on or about February 20, 2020, an order [Doc. 43] was entered by this Court authorizing the Trustee to employ the Accountants, with all compensation and reimbursement of expenses subject to further approval of this Court upon notice and hearing.
2. That Exhibit “A” contains detailed entries listing the date, the provider of services and outlines the total time allocation by the Accountants during the period of April 23, 2020, through August 3, 2022
3. The Accountants have expended 14.9 hours of professional services, of which services were performed by the following professionals:

Lois West	13.9
L. Popowcer	0.5
D. Hollander	0.25
A. Valdez	<u>0.25</u>

Total	14.9
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4. The professional services performed by the Accountants are described in more detail on Exhibit A attached hereto, and are summarized as follows:

- A. Review settlement agreement and tax liability related to the same;
- B. Review and reconciliation of Debtor's tax returns for years of 2013 through 2020 to Trustee's tax returns;
- C. Prepare and file requests for extensions of deadlines to file tax returns for Debtor and estate;
- D. Prepare and file Trustee's 2021 tax returns and request for prompt determination.

5. This application is the Accountant's first request for the allowance of compensation and no retainer or compensation has previously been requested nor paid to the Accountants.

6. That all of the professional services rendered have been actual and necessary services rendered, which are of the nature of accounting work.

7. Lois West and Kutchins, Robbins & Diamond, LTD, Accountants, submits that the fees requested in this Application are reasonable in view of the time spent and the complexity of the matters involved.

8. The Debtor has a multitude of creditors, which would make it unduly burdensome for the Accountants to send notice to all of the Debtor's creditors. Rather, the Trustee seek to limit notice to the following parties: (i) the Debtor, (ii) United States Trustee; (iii) twenty largest creditors; and (iv) all parties entitled to receive notice.

WHEREFORE, LOIS WEST and KUTCHINS, ROBBINS & DIAMOND, LTD pray for entry of an Order, pursuant to § 330 of the Bankruptcy Code,

- (A) Allowing the Accountants interim compensation in the amount of \$4,413.75 for actual and necessary professional services rendered;
- (B) Authorizing the Trustee to pay the Accountants the allowed interim compensation of \$4,413.75 as a cost of administration;
- (C) Limiting notice to the Debtor's twenty largest unsecured creditors; and,
- (D) For such other relief as this Court deems just.

/s/ Gregory K. Stern

Gregory K. Stern, Attorney

Gregory K. Stern (Atty. ID #6183380)
Dennis E. Quaid (Atty. ID #02267012)
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